

Notice of Allowability

Application No.

09/602,254

Examiner

Narayanswamy Subramanian

Applicant(s)

ABRAHAMS ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/19/2005.
2. ☒ The allowed claim(s) is/are 8-10, 37, 38 and 40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This communication is in response to Applicant's appeal brief filed on August 19, 2005. Claims 8-10, 15-17 and 36-42 are pending in this application.

EXAMINER'S AMENDMENT/COMMENT

2. During an interview with Applicant's representative Mr. William J. Brogan on October 27, 2005, Attorney Brogan agreed to cancel the withdrawn claims 15-17, 36, 39, 41 and 42. Claims 8-10, 37, 38 and 40 are pending after the cancellation of withdrawn claims.

Allowable Subject Matter

3. The following is a statement of reasons for the indication of allowable subject matter:
4. The prior art of record (Gould et al US Pat. No. 5,966,700) teaches a method for issuing a guarantee certificate, which is a financial instrument representing an obligation of a first party to make a payment triggered by certain default-related events associated with real estate loans, the method including pooling, into a reference pool, instruments representing payment obligations triggered by certain default-related events associated with real estate loans underlying the instruments; and identifying and segregating cash flows paid to satisfy triggered payment obligations for the instruments in the reference pool using at least one data processing system.

Even though, the prior art of record teaches a for performing the above mentioned steps, the prior art of record fails to teach a method for issuing a guarantee certificate, which is a financial instrument representing an obligation of a first party to make a payment triggered by certain default-related events associated with real estate loans, including issuing a guarantee certificate to entitle a holder of the certificate to receive at least one payment from the identified

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and segregated cash flows. For these reasons claims 8 and 37 are deemed to be allowable over the prior art of record, and claims 9, 10, 38 and 40 are allowed by dependency.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled Comments on Statement of Reasons for allowance.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Ervolini et al (US Pub. No. 2002/0035530 A1) (March 21, 2002) Computer System and Process for a Credit-Driven Analysis of Asset-Backed Securities

(b) Maples et al (US Patent 6,381,585 B1) (April 30, 2002) Method and Apparatus for Administering a Share Bond

(c) Levine et al (US Patent 6,233,566 B1) (May 15, 2001) System, Method and Computer Program Product for Online Financial Products Trading

(d) Deaddio et al (US Pub. No. 2001/0025264 A1) (September 27, 2001) Object Oriented System for Managing Complex Financial Instruments

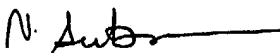
(e) Ervolini et al (WO 99/46710) (September 16, 1999) Computer System and Process for a Credit-Driven Analysis of Asset-Backed Securities


(f) "Finance and the Family (In the News): Quicker Way Home/ Abbey National to give Mortgage Guarantee Certificates", Financial Times Section E (January 25, 1986)

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (571) 272-6747. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Dr. N. Subramanian
October 28, 2005



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600